

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning under delegation executed on 16 February 2015, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- provide for the ongoing environmental management of the development

Anthea Sargent
Executive Director
Key Sites and Industry Assessments

Sydney

13 January 2017

The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.

The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.

CONSOLIDATED CONSENT

SCHEDULE 1

Application Number:	SSD-7692
Applicant:	Qanstruct (Aust) Pty Ltd
Consent Authority:	Minister for Planning
Land:	28B McPherson Street, Banksmeadow Lot 101 DP 1223909
Development:	Construction and operation of: <ul style="list-style-type: none">• a single storey office building with a gross floor area of 1000 square metres• accommodation and facilities for detector dogs (day as and kennel blocks); and• car parking, internal access ways and landscaping.

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SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD-7692-MOD-1	4 May 2017	Director, Industry Assessments	Site amendments including: <ul style="list-style-type: none">• the reduction in the administration building floor area to 1,000 square metres and deletion of adjoining water tanks• the introduction of an isolation kennel block and proficiency maintenance building• the relocation of day runs• the deletion of trailer parking and reduction in parking to 44 spaces• the revision of the Concept Landscape Plan
SSD-7692-Mod-2	4 July 2024	Team Leader, Industry Assessments	<ul style="list-style-type: none">• Construct 4 additional day runs

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DEFINITIONS

ABD	Australian Border Force
AHD	Australian Height Datum
AFP	Australian Federal Police
Applicant, the	Qanstruct (Aust) Pty Ltd, or any person(s) who rely on this consent to carry out the Development that is subject to this consent
BCA	Building Code of Australia
Botany Industrial Park	A 73 hectare industrial complex located at Banksmeadow, in south-east Sydney
CEMP	Construction Environmental Management Plan
Certifying Authority	A person who is authorised by or under section 109D of the EP&A Act to issue Part 4A certificates
Construction	The demolition of buildings or works, the carrying out of works, including bulk earthworks, and erection of buildings and other infrastructure covered by this consent
Contact barrier system	Comprises (at a minimum) a marker layer consisting of a bright orange geotextile approved by the Site Auditor, installed prior to placement of 0.5 metres of VENM / topsoil (after compaction)
Council	Bayside Council (formed by a recent merger between the Council of the City of Botany Bay and Rockdale Council)
DAWR	Commonwealth Department of Agriculture and Water Resources
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Department	Department of Planning and Environment
Detector dog	A dog that is trained to and works at using its senses to detect substances such as explosives, illegal drugs, tobacco, wildlife scat, certain foods, plant or animal material, currency, or blood
Development	The development as described in the EIS and RTS, and as generally depicted in Appendix A
DPI	NSW Department of Primary Industries
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
EIS	Environmental Impact Statement titled "Environmental Impact Statement SSD_7692 Multi-Agency Collocated Accommodation for Detector Dogs" prepared by Qanstruct (Aust) Pty Ltd, dated 23 August 2016
ENM	Excavated Natural Material
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environment Protection Licence issued by the EPA under the POEO Act

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Evening	The period from 6 pm to 10 pm
Feasible	Relates to engineering considerations and what is practical to build
GFA	Gross Floor Area
Heavy vehicle	Any vehicle with a gross vehicle mass of five tonnes or more
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage Item	An item as defined under the Heritage Act 1977, and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the National Parks and Wildlife Act 1974
Incident	A set of circumstances causing or threatening material harm to the environment, and/or an exceedance of the limits or performance criteria in this consent
Management & Mitigation Measures	The Applicant's management and mitigation measures contained in the RTS and included in Appendix B
Marker layer	A bright orange geotextile laid on the final surface of the contaminated fill material to separate potentially contaminated soils from a physical barrier layer
Material harm to the environment	Harm to the environment is material if it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial
Minister	Minister for Planning (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Modification Assessments	<p>(a) Modification 1 to SSD 7692 (MOD 1), accompanied by a Statement of Environmental Effects titled 'SSD 7692 – Modification Application' prepared by Qanstruct (Aust) Pty Ltd, dated 31 January 2017, a Response to Submissions, prepared by Qanstruct (Aust) Pty Ltd, dated 7 March 2017 and a Concept Landscape Plan (Qanstruct Drawing No. 16-1088/1), dated 23 March 2017</p> <p>(b) Modification 2 to SSD 7692 (SSD-7692-Mod-2), accompanied by 'SSD 7692 MOD 2' prepared by Patch Planning, dated 17 April 2024</p>
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
OEH	Office of Environment and Heritage
OEMP	Operational Environmental Management Plan
PCA	Principal Certifying Authority authorised under section 109D of the EP&A Act
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
RAP	Remediation Action Plan prepared by JBS&G, dated 29 July 2015 (43499/100773, Rev 0) at Appendix B of the EIS
Reasonable	Relates to the application of judgment in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits

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provided, community views, and the nature and extent of potential improvements

RMS	Roads and Maritime Services
RTS	Response to Submissions titled " <i>State Significant Development (SSD 7692): Response to Submissions: Multi-Agency Collocated Accommodation for Detector Dogs</i> " prepared by Qanstruct (Aust) Pty Ltd, dated 3 November 2016
Secretary	Secretary of the Department (or nominee)
Sensitive Receivers	A location where people are likely to work or reside, this may include a dwelling, school, hospital, office or public recreational area
Site	The land listed in Schedule 1
Site Auditor	As defined in the <i>Contaminated Land Management Act 1997</i>
Site Audit Report	As defined in the <i>Contaminated Land Management Act 1997</i>
Site Audit Statement	As defined in the <i>Contaminated Land Management Act 1997</i>
SSD 7692	The development as described in Schedule 1, the EIS and the RTS
VENM	Virgin Excavated Natural Material as defined in the POEO Act

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SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In addition to meeting the specific performance criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the Development.

TERMS OF CONSENT

- A2. The Applicant must carry out the Development in accordance with the:
- (a) State significant development application SSD 7692;
 - (b) EIS and RTS;
 - (c) development layout plans and drawings in the EIS (see Appendix A);
 - (d) the Management and Mitigation Measures (see Appendix B); and
 - (e) the Modification Assessments.
- A3. If there is any inconsistency between the documents listed in Condition A2, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.
- A4. The Applicant must comply with any reasonable requirement(s) of the Secretary arising from the Department's assessment of:
- (a) any reports, plans or correspondence that are submitted in accordance with this consent; and
 - (b) the implementation of any actions or measures contained within these reports, plans or correspondence.

LIMITS OF CONSENT

- A5. This consent lapses five years after the date from which it operates, unless the Development has physically commenced on the land to which the consent applies before the date on which the consent would otherwise lapse under section 95 of the EP&A Act.
- A6. This consent does not approve any development on Stage B as depicted on Qanstruct Drawing No. H2.01, dated 13 March 2024, Issue A (see Appendix A).

STAGED SUBMISSION OF PLANS OR PROGRAMS

- A7. With the approval of the Secretary, the Applicant may:
- (a) submit any strategy, plan or program required by this consent on a progressive basis; and/or
 - (b) combine any strategy, plan or program required by this consent.
- A8. If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program shall clearly describe the specific stage to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program. A clear relationship between the strategy, plan or program that is to be combined shall be demonstrated.

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EVIDENCE OF CONSULTATION

- A9. Where consultation with any public authority is required by the conditions of this consent, the Applicant must:
- (a) consult with the relevant public authority prior to submitting the required documentation to the Secretary or the PCA for approval, where required;
 - (b) submit evidence of this consultation as part of the relevant documentation required by the conditions of this consent; and
 - (c) include the details of any outstanding issues raised by the relevant public authority and an explanation of disagreement between any public authority and the Applicant or any person acting on this development consent.

DISPUTE RESOLUTION

- A10. In the event that a dispute arises between the Applicant and Council or a public authority, in relation to an applicable requirement in this consent or relevant matter relating to the Development, either party may refer the matter to the Secretary for resolution. The Secretary's determination of any such dispute shall be final and binding on the parties.

STATUTORY REQUIREMENTS

- A11. The Applicant must ensure that all licences, permits and approval/consents are obtained as required by law and maintained as required throughout the life of the Development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approval/consents.

STRUCTURAL ADEQUACY AND CERTIFICATION

- A12. The Applicant must ensure all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with the relevant requirements of the BCA.
- A13. Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the Development.

UTILITIES AND SERVICES

- A14. Prior to the construction of any utility works associated with the Development, the Applicant must obtain relevant approvals from service providers.
- A15. Prior to operation of the Development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

PROTECTION OF PUBLIC INFRASTRUCTURE

- A16. Prior to the commencement of construction, the Applicant must:
- (a) consult with the relevant owner and/or provider of services that are likely to be affected by the Development to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure;

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- (b) prepare a dilapidation report, including a photographic survey, identifying the condition of all public infrastructure in the vicinity of the site (including roads, kerbs, gutters, footpaths, street trees, street signs), extending to a distance of 50 metres from the Development; and
- (c) submit a copy of this report to the Secretary and Council.

A17. The Applicant must:

- (a) repair, or pay the full costs associated with repairing any public infrastructure that is damaged by the Development; and
- (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the Development.

A18. Prior to the issue of any Construction Certificate for the Development, the Applicant must lodge a Builder's Damage Deposit and Performance Bond of \$30,060 (GST Exempt) with Council in accordance with City of Botany Bay Fees and Charges 2016-2017.

Note: Payment must be made by way of cash deposit or unconditional bank guarantee to Council against possible damage to Council's assets during the course of the building works. The deposit will be refunded subject to inspection by Council 12 months after the completion of all works relating to the Development and the Final Occupation Certificate has been issued.

COMPLIANCE

A19. The Applicant must ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.

A20. The Applicant must be responsible for environmental impacts resulting from the actions of all persons that it invites onto the site, including contractors, sub-contractors and visitors.

DEVELOPMENT CONTRIBUTIONS

A21. Prior to the issue of a Construction Certificate for any part of the Development, the Applicant must pay \$ 16,724.67 to Council in accordance with the *City of Botany Bay Section 94A Contributions Plan 2016*.

Note: The City of Botany Bay Section 94A Contributions Plan 2016 may be inspected at Bayside Council offices or on Bayside Council's website at www.botanybay.nsw.gov.au.

EASEMENTS

A22. The creation of easements for services, rights of carriageway and restrictions as to user are applicable under section 88E of the Conveyancing Act 1919, including (but not limited to) the following:

- (a) easements for sewer, water supply and drainage over all public services / infrastructure on private property;
- (b) drainage easements are to be placed over all subsurface drains and interallotment drainage on the site, benefiting and burdening the property owners;
- (c) maintenance of the subsurface drains is to be included in the 88E Instrument;

Any section 88E Instrument creating restrictions as to user, rights of carriageway or easements which benefit Council must contain a provision enabling such restrictions, easements or rights of way to be revoked, varied or modified only with the consent of Council.

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OPERATION OF PLANT AND EQUIPMENT

A23. The Applicant must ensure that all plant and equipment used for the Development is:

- (a) maintained in a proper and efficient condition; and
- (b) operated in a proper and efficient manner.

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PART B: ENVIRONMENTAL PERFORMANCE AND MANAGEMENT

SOILS, WATER QUALITY AND HYDROLOGY

Imported soil

- B1. The Applicant must ensure that only VENM and/or ENM or other material approved by EPA or its duly accredited Site Auditor is used as fill on the site.

Erosion and Sediment Control

- B2. Prior to the commencement of construction, the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements in the latest version of the *Managing Urban Stormwater: Soils and Construction Guideline* and the Erosion and Sediment Control Plan included in the CEMP required by Condition C1.

Discharge limits

- B3. The Development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

Stormwater Drainage System

- B4. The Applicant must design, install and operate a stormwater drainage system for the Development. The system must:
- (a) be designed by a suitably qualified and experienced civil engineer to the satisfaction of Council;
 - (b) be in accordance with the conceptual design in the EIS and applicable Australian Standards;
 - (c) be consistent with the guidance in the latest version of *Managing Urban Stormwater: Council Handbook*;
 - (d) mitigate the impacts of stormwater run-off from and within the site;
 - (e) not cause adverse off-site flooding or stormwater quality impacts; and
 - (f) not penetrate the plastic marker layer placed in accordance with the RAP.
- B5. Prior to the issue of any Occupation Certificate for the Development, the Applicant must engage a practicing civil engineer to certify that the stormwater drainage system has been constructed in accordance with the approved stormwater drainage plans and all relevant standards.

Stormwater Management Plan

- B6. Prior to the commencement of operation, the Applicant must prepare an Operational Stormwater Management Plan for the Development to the satisfaction of the Secretary. The Plan must form part of the OEMP required by Condition C4 and must:
- (a) be prepared by a suitably qualified and experienced expert in consultation with Council;
 - (b) include detailed plans of the site stormwater system required by Condition B4; and
 - (c) detail maintenance protocols and maintenance schedules for all structures, including all pits, pipes, infiltration systems, on-site detention systems and rainwater tanks.

Flooding

- B7. All floor levels must be no lower than the 1% Annual Exceedance Probability flood plus 500 mm of freeboard.
- B8. Any structures below the 1% Annual Exceedance Probability plus 500 mm of freeboard must be constructed from flood compatible building components.

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- B9. Prior to issue of any Occupation Certificate for the Development, a feature level survey must be submitted to the satisfaction of the Secretary that demonstrates the finished site levels are no lower than the 1% Annual Exceedance Probability flood level at the site.

REMEDIATION

Site Auditor

- B10. Prior to the commencement of any construction or remediation works, the Applicant must provide evidence that an EPA accredited Site Auditor has been appointed to provide advice throughout construction and on completion of the Development.

Vapour Risk Mitigation System

- B11. Prior to the commencement of construction, detailed designs for the vapour risk mitigation system described in the RAP, which include construction quality assurance and post-completion testing specifications, must be prepared for all buildings to be constructed on the site and must be reviewed by the Site Auditor.

Pre-Construction

- B12. Prior to the commencement of construction, the Applicant must notify the Secretary, PCA and Council of the date construction will commence.
- B13. Prior to construction of any permanent buildings on the site, the Applicant must prepare and submit a validation report for the site remediation works described in the RAP, to the satisfaction of the Site Auditor. This shall include verification of placement of the contact barrier system.

During Construction

- B14. Excavation for stormwater drainage infrastructure or the provision of services and construction of any buildings or structures must not penetrate or compromise the integrity of the plastic marker layer placed in accordance with the RAP, to the satisfaction of the Site Auditor.

Post-Construction Verification Report

- B15. Prior to issue of any Occupation Certificate for the Development, the Applicant must prepare a verification report detailing the installation of a vapour risk mitigation system, including construction quality assurance documentation, to the satisfaction of the Site Auditor.

Long Term Environmental Management Plan

- B16. Prior to the issue of any Occupation Certificate for the Development, the Applicant must prepare a long-term environmental management plan (LTEMP) for the site, to the satisfaction of the Site Auditor.
- B17. Upon completion of the remediation works, the Applicant must manage the site in accordance with the approved LTEMP and any on-going maintenance of remediation notice issued by the EPA under the CLM Act.

Site Audit Report and Site Audit Statement

- B18. Prior to the issue of any Occupation Certificate for the Development, the Applicant must ensure all requirements specified in the RAP, and the Site Audit Statement (SA263/3) prepared by accredited Site Auditor Christopher Jewell, dated August 2015 at Appendix G of the EIS, are satisfied.
- B19. Prior to the issue of any Occupation Certificate for the Development, the Applicant must obtain from a Site Auditor, a Site Audit Statement and a Site Audit Report which demonstrates that the site is suitable for its intended use(s). A copy of the final Site Audit Statement and Site Audit Report shall be provided to the Secretary and Council.

CONTAMINATION

B20. Prior to the commencement of construction, the Applicant must prepare an unexpected finds protocol to ensure that potentially contaminated material is appropriately managed. The protocol shall form part of the CEMP required by Condition C1 and shall ensure any material identified as contaminated shall be disposed off-site, with the disposal location and results of testing submitted to the Secretary, prior to its removal from the site.

TRAFFIC AND ACCESS

Construction Traffic Management Plan

B21. The Applicant must prepare a Construction Traffic Management Plan for the Development. The plan must form part of the CEMP required by Condition C1 and must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) be submitted to the Secretary for approval prior to the commencement of construction;
- (c) detail the measures that would be implemented to ensure road safety and network efficiency during construction;
- (d) detail heavy vehicle routes, access and parking arrangements;
- (e) include a Driver Code of Conduct to:
 - (i) minimise the impacts of earthworks and construction on the local and regional road network;
 - (ii) minimise conflicts with other road users;
 - (iii) minimise road traffic noise; and
 - (iv) ensure truck drivers use specified routes;
- (f) include a program to monitor the effectiveness of these measures; and
- (g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.

Parking

B22. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the Development does not utilise public and residential streets or public parking facilities.

B23. Disabled car parking spaces must be provided and clearly marked in accordance with AS 2890.6 Accessible Car Parking and Council requirements.

Operating Conditions

B24. The Applicant must ensure:

- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the Development are constructed and maintained in accordance with the latest version of AS 2890.1 Parking Facilities – Off-street Car Parking and AS 2890.2 Parking Facilities – Off-street Commercial Vehicle Facilities;
- (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTRROADS guidelines;
- (c) the Development does not result in any vehicles queuing on the public road network;
- (d) heavy vehicles associated with the Development are not parked on local roads or footpaths in the vicinity of the site;

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- (e) all vehicles are wholly contained on site before being required to stop;
- (f) all loading and unloading of materials is carried out on-site;
- (g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and
- (h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

NOISE

Hours of Work

B25. The Applicant must comply with the hours detailed in Table 1, unless otherwise agreed in writing by Council and the Secretary.

Table 1 Hours of Work

Activity	Day	Time
Earthworks and construction	Monday – Friday	7 am to 6 pm
	Saturday	8 am to 1 pm
Operation	Monday – Sunday	24 hours

- B26. Works outside of the hours identified in Condition B25 may be undertaken in the following circumstances:
- (a) works that are inaudible at the nearest sensitive receivers;
 - (b) works agreed to in writing by the Secretary;
 - (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
 - (d) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.

Construction Noise Limits

B27. The Development must be constructed with the aim of achieving the construction noise management levels detailed in the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009). All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the management and mitigation measures in the EIS.

Construction Noise Management Plan

- B28. The Applicant must prepare a Construction Noise Management Plan for the Development to manage noise generating works. The plan must form part of the CEMP required by Condition C1 and must:
- (a) be prepared by a suitably qualified and experienced noise expert;
 - (b) be approved by the Secretary prior to the commencement of construction of the Development;
 - (c) describe procedures for achieving the noise management levels in the EPA's *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009); and
 - (d) include a complaints management system that would be implemented for the duration of the Development.

AIR QUALITY

Dust Minimisation

- B29. The Applicant must implement all reasonable and feasible measures to minimise dust generated during demolition, earthworks, construction and operation of the Development.
- B30. During construction, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering;
 - (b) all trucks entering or leaving the site with loads have their loads covered;
 - (c) trucks associated with the Development do not track dirt onto the public road network;
 - (d) public roads used by these trucks are kept clean; and
 - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

Odour Management

- B31. The Applicant must ensure the Development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

ANIMAL WELFARE

Animal Welfare

- B32. The Applicant must ensure the Development complies with the relevant requirements for the welfare of the detector dogs, particularly health, housing, watering, feeding, handling and transport, including but not limited to those contained within the:
- (a) NSW Animal Welfare Code of Practice No.5 – Dogs and Cats in Animal Boarding Establishments; and
 - (b) NSW Animal Welfare Code of Practice No.9 – Security Dogs.

ABORIGINAL HERITAGE

Unexpected Finds

- B33. If Aboriginal objects are uncovered during earthworks, excavation or disturbance, work in the immediate area must stop and the Regional Operations Group of the OEH, Council and the Registered Aboriginal Parties are to be consulted.

HAZARDS AND RISK

- B34. Prior to the issue of any Occupation Certificate for the Development, the Applicant must develop an Emergency Response Plan. The Plan must be developed in consultation with representatives from the Botany Industrial Park and must take into account the potential impacts arising from emergencies at Botany Industrial Park.

Dangerous Goods

- B35. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with all relevant Australian Standards.

WASTE MANAGEMENT

Construction Waste Management

- B36. Prior to the commencement of construction, the Applicant must prepare a Construction Waste Management Plan for the Development. The plan must form part of the CEMP required by Condition C 1 and must:
- (a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations; and

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(b) be implemented for the duration of construction works.

Operational Waste Management

B37. Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the Development. The Waste Management Plan shall form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C6. The Plan must:

- (a) detail the type and quantity of waste to be generated during operation of the Development;
- (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (Department of Environment, Climate Change and Water, 2009);
- (c) detail the materials to be reused or recycled, either on or off site; and
- (d) include the Management and Mitigation Measures included in Appendix B.

Statutory Requirements

B38. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.

B39. The collection of waste generated during operation of the Development must be undertaken between 7 am to 10 pm Monday to Friday.

VISUAL AMENITY

Landscaping

B40. Prior to the commencement of operation, the Applicant must prepare a Landscape Management Plan in consultation with Council to manage the revegetation and landscaping works on-site, to the satisfaction of the Secretary. The plan must form part of the OEMP in Condition C4 and be prepared in accordance with Condition C6. The plan must:

- (a) detail the species to be planted on-site;
- (b) incorporate the use of endemic species;
- (c) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and
- (d) incorporate landscaping elements, including screening and shading, generally consistent with the revised Concept Landscape Plan in MOD 1 (Drawing No. 16-1088/1 revised 23 March 2017); and
- (e) be consistent with the Applicant's Management and Mitigation Measures at Appendix B.

B41. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by Condition B40 for the life of the Development.

Lighting

B42. The Applicant must ensure the lighting associated with the Development:

- (a) complies with the latest version of AS 4282 (NT) - Control of Obtrusive Effects of Outdoor Lighting; and
- (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Signage and Fencing

B43. All signage and fencing must be erected in accordance with the Development plans included in the EIS.

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Note: This condition does not apply to temporary construction and safety related signage and fencing.

PART C: ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C1. The Applicant must prepare a Construction Environmental Management Plan (CEMP) to the satisfaction of the Secretary. The CEMP must:
- (e) be approved by the Secretary prior to the commencement of construction;
 - (a) identify the statutory approvals that apply to the Development;
 - (b) outline all environmental management practices and procedures to be followed during construction works associated with the Development;
 - (c) describe all activities to be undertaken on the site during construction of the Development, including a clear indication of construction stages;
 - (d) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;
 - (e) describe the roles and responsibilities for all relevant employees involved in construction works associated with the Development; and
 - (f) include the management plans required under Condition C2 of this consent.
- C2. As part of the CEMP required under Condition C 1 of this consent, the Applicant must include the following:
- (a) Erosion and Sediment Control Plan (see Condition 82);
 - (b) Dust minimisation and management;
 - (c) Contamination and remediation risk management, including an unexpected finds protocol (see Condition B20);
 - (d) Construction Traffic Management Plan (see Condition B21);
 - (e) Construction Noise Management Plan (see Condition 828);
 - (f) Unexpected finds protocol for Aboriginal heritage (see Condition 833);
 - (g) Construction Waste Management Plan (see Condition 836); and
 - (h) Community Consultation and Complaints Handling.
- C3. The Applicant must carry out the construction of the Development in accordance with the CEMP approved by the Secretary (and as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- C4. The Applicant must prepare an Operational Environmental Management Plan (OEMP) to the satisfaction of the Secretary. The OEMP must:
- (a) be submitted to the Secretary for approval prior to the commencement of operation;
 - (a) be prepared by a suitably qualified and experienced expert;
 - (b) identify the statutory approvals that apply to the Development;
 - (c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Development;
 - (d) describe the procedures that would be implemented to:

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- (i) keep the local community and relevant agencies informed about the operation and environmental performance of the Development;
 - (ii) receive, handle, respond to, and record complaints;
 - (iii) resolve any disputes that may arise;
 - (iv) respond to any non-compliance;
 - (v) respond to emergencies; and
- (e) include the following environmental management plans:
- (i) Stormwater Management Plan (see Condition 86);
 - (ii) Emergency Response Plan (see Condition 834);
 - (iii) Waste Management Plan (see Condition 837); and
 - (iv) Landscape Management Plan (see Condition 840).
- C5. The Applicant must operate the Development in accordance with the OEMP approved by the Secretary (and as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

MANAGEMENT PLAN REQUIREMENTS

- C6. The Applicant must ensure the environmental management plans required under Condition C1 and C4 of this consent are prepared by a suitably qualified person or persons in accordance with best practice and include:
- (a) detailed baseline data;
 - (b) a description of:
 - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - (ii) any relevant limits or performance measures/criteria; and
 - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the Development or any management measures;
 - (c) a description of the management measures that would be implemented to comply with the relevant statutory requirements, limits or performance measures/criteria;
 - (d) a program to monitor and report on the:
 - (i) impacts and environmental performance of the Development; and
 - (ii) effectiveness of any management measures (see (c) above);
 - (e) a contingency plan to manage any unpredicted impacts and their consequences;
 - (f) a program to investigate and implement ways to improve the environmental performance of the Development over time;
 - (g) a protocol for managing and reporting any:
 - (i) incidents (see Conditions CB and C9);
 - (ii) complaints;
 - (iii) non-compliances with statutory requirements; and
 - (iv) exceedances of the impact assessment criteria and/or performance criteria; and
 - (h) a protocol for periodic review of the plan.

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Revision of Strategies, Plans and Programs

C7. Within three months of:

- (a) an approval of a modification; or
- (b) submission of an incident report under Condition C9

the Applicant must review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Secretary.

Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the Development.

REPORTING

Incident Reporting

C8. The Applicant must notify the Secretary and any other relevant agencies of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment associated with the Development immediately after the Applicant becomes aware of the incident.

C9. Within seven days of the date of this incident, the Proponent must provide the Secretary and any relevant agencies with a detailed report on the incident.

ACCESS TO INFORMATION

C10. The Applicant must:

(a) make copies of the following publicly available on its website:

- (i) the documents referred to in Condition A2;
- (ii) all current statutory approvals for the Development;
- (iii) all approved strategies, plans and programs required under the conditions of this consent;
- (iv) a complaints register updated on a monthly basis; and
- (v) any other matter required by the Secretary.

(b) keep this information up to date, to the satisfaction of the Secretary.

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**APPENDIX A
DEVELOPMENT LAYOUT PLANS**

FOR INFORMATION

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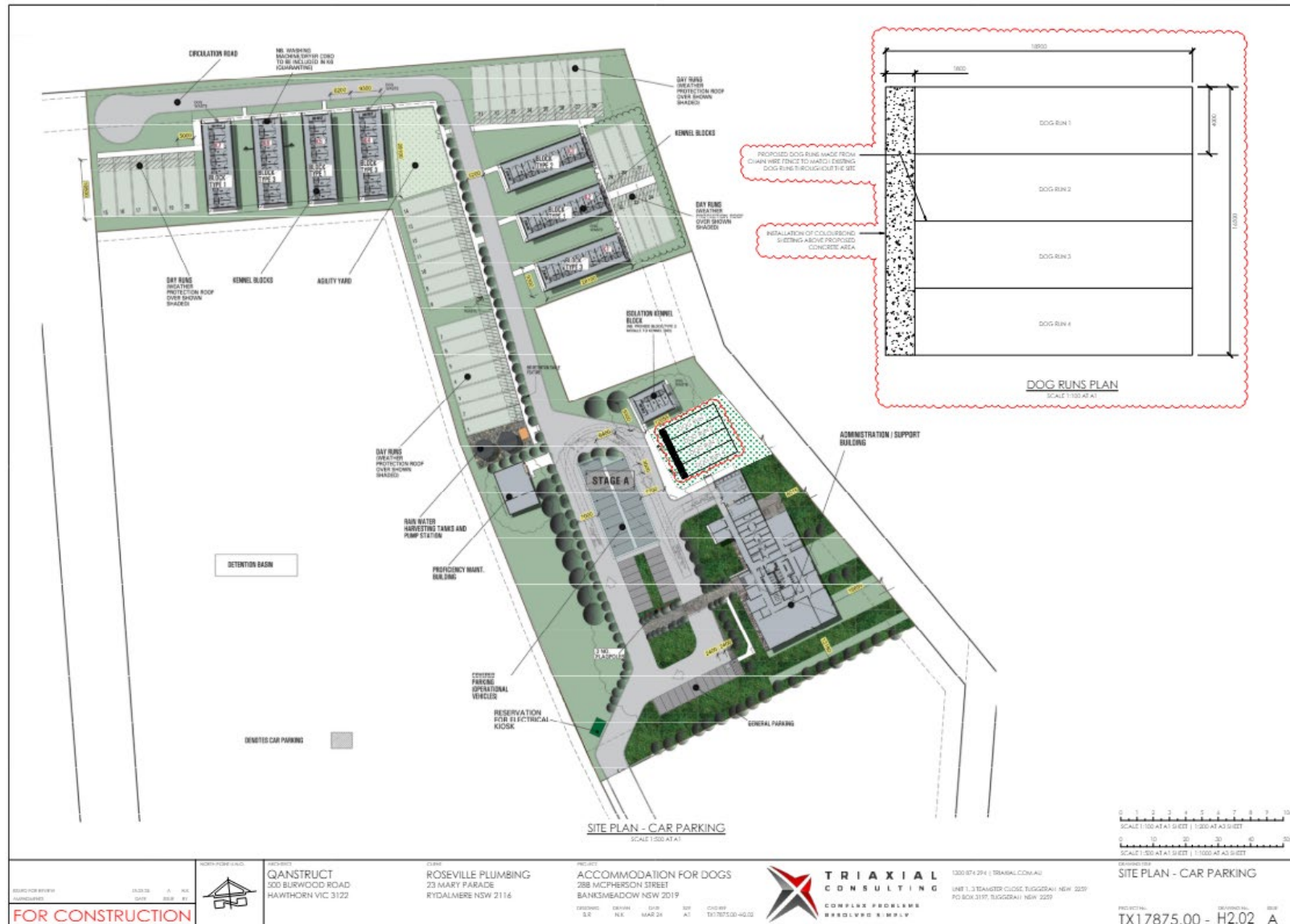


Figure 1: Site Plan (not indicative of final landscaping)

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Figure 2: Staging Plan (not indicative of final landscaping)

SEARCHED FOR REVIEW
 13.03.24
 APPROVED BY
 A H.A.
 R.S.P.
FOR CONSTRUCTION

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LOCALITY PLAN
 PROJECT NO.
TX17875.00 - H2.01
 SHEET NO.
A

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APPENDIX B

APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

FOR INFORMATION